HONORABLE Timothy O. Rice 1 2 3 4 5 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WASHINGTON 6 AT SPOKANE 7 TIMOTHY BEUCA, 8 NO. 2:23-00069-TOR Plaintiff, 9 STIPULATED MOTION AND PROPOSED ORDER FOR LEAVE TO FILE SECOND AMENDED COMPLAINT 10 WASHINGTON STATE UNIVERISTY 11 Defendant(s). 12 13 I. **STIPULATION** 14 Pursuant to Federal and Local Rule of Civil Procedure 15(a)(2) plaintiff Timothy Beuca 15 and defendant Washington State University (WSU) hereby agree to (a) permit Plaintiff to file a 16 Second Amended Complaint; and (b) permit WSU thirty (30) days from such filing to answer or 17 otherwise respond. A copy of the [redline] Second Amended Complaint is attached hereto. The 18 parties have communicated regarding the proposal and previously requested the same in a Joint 19 Status Report to the Court requesting the same. (see DKT #17, *Joint Status Report*). 20 The parties stipulate as follows: 21 PACIFIC JUSTICE INSTITUTE STIPULATED MOTION AND PROPOSED ORDER FOR LEAVE TO FILE SECOND AMENDED COMPLAINT ADDING ADDITIONAL PLAINTIFFS AND CLAIM

- 1 (Case No. 2:22-CV-00069-TOR)

1	1. Plaintiff previously filed the First Amended Complaint in State Court on Februar			
2	22, 2023, but has not filed an amendment in Federal Court.			
3	2. On July 18, 2024, the U.S. Court of Appeals for the Ninth Circuit issued a			
4	memorandum disposition reversing the District Court's denial of leave to amend.			
5	3. The parties seek to move the case forward by permitting Plaintiff to file a Second			
6	Amended Complaint in the form attached hereto.			
7	4. WSU's deadline to answer or otherwise respond to the Second Amended			
8	Complaint will be thirty (30) days from the date Plaintiff files the Second			
9	Amended Complaint.			
10	IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.			
11	DATED this 18th day of October, 2024.			
12	/s/ Zachary J. Pekelis By: /s/ Harold H. Franklin, Jr. Hearld H. Franklin, In #20486			
13	Zachary J. Pekelis 44557 Harold H. Franklin, Jr. #20486 Pacifica Law Group Pacific Justice Institute			
14				
15	II. ORDER			
16	THIS MATTER having come on regularly for hearing upon the stipulation of the parties			
17	above contained, and the Court being fully advised thereon, now, therefore, it is hereby ORDERED			
18	that:			
19	1. The Court grants Plaintiff leave to file his proposed Second Amended Complaint.			
20	2. The filing shall be in cleaned-up form.			
21	3. Defendant's deadline to answer or otherwise respond to the Second Amended			

STIPULATED MOTION AND PROPOSED ORDER FOR LEAVE TO FILE SECOND AMENDED COMPLAINT ADDING ADDITIONAL PLAINTIFFS AND CLAIM - 2 (Case No. 2:22-CV-00069-TOR)

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1	Complaint shall be thirty (30) days after P	Plaintiff files the Second Amend	ed	
2	Complaint.			
3	ENTERED this day of	_, 2024.		
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6	THE HONORABLE TIMOTHY O. RICE United States District Court Judge			
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8				
9	Zachary J. Pekelis #44557 Hard	<i>Harold H. Franklin, Jr.</i> old H. Franklin, Jr. #20486		
10	*	ific Justice Institute		
11		orney for Timothy Beuca		
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ORDER FOR LEAVE TO FILE SECOND AMENDED COMPLAINT ADDING ADDITIONAL PLAINTIFFS AND CLAIM - 3 (Case No. 2:22-CV-00069-TOR)